

Illinois Nature Preserves Commission
Minutes of the 202nd Meeting
Approved at the 203rd Meeting)

Starved Rock Visitors Center
Route 178 & 71
Utica, IL 61373

Tuesday, May 5, 2009

202-1) Call to Order, Roll Call, and Introduction of Attendees

At 9:10 a.m., pursuant to the Call to Order of Chair Riddell, the meeting began.

Deborah Stone read the roll call.

Members present: Jill Allread, Ron Flemal, Richard Keating, Mare Payne, Jill Riddell, Lauren Rosenthal, Bruce Ross-Shannon, and John Schwegman.

Members absent: Harry Drucker

Others present: Samantha Adams, Steven Byers, Bob Edgin, Judy Faulkner Dempsey, Randy Heidorn, Jason Inczauskis, Tom Lerczak, Angella Moorehouse, Kelly Neal, John Nelson, Debbie Reider, Kim Roman, Jenny Skufca, and Mary Kay Solecki, Illinois Nature Preserves Commission (INPC); Ed Anderson, Jeannie Barnes, Jeff Horn, Glen Kruse, Michelle Simone, and Bob Szafoni, Office of Resource Conservation (ORC), Illinois Department of Natural Resources (IDNR); Kathi Davis, Tracy Evans, and Don McFall, Office of Realty and Environmental Planning (OREP), IDNR; Adele Hodde, Photographic Services Section, IDNR; Marilyn Campbell, Illinois Endangered Species Protection Board (ESPB) and INPC Consultant; Dr. Brian Anderson, Illinois Natural History Survey (INHS) and INPC Advisor; Lisa Mattingly, Illinois Historic Preservation Agency; John Marlin, Illinois Sustainable Technology Center and INPC Advisor; Jerry Paulson, Natural Land Institute (NLI) and INPC Consultant; and Jill Kennay, NLI; Valerie Spale, Save the Prairie Society and INPC Consultant; Joseph Roth, CorLands and INPC Consultant; G. Tanner Girard, Illinois Pollution Control Board; Charles Gilbert, Alice Henry, and David King, Prairie Land Conservancy; David Monk, Heartland Pathways; Edmund Thornton, former INPC Commissioner; Carlos Arevalo, Zukowski, Rogers, Flood, and McArdle; Deborah Nier, City of Marengo; David Johnson and Charles Sass, Village of Huntley; Ann Basten, Elizabeth Kessler, John Peters, and Nancy Williamson, McHenry County Conservation District (MCCD), representing the proposed HUM Railroad Prairie Nature Preserve; Cathy Geraghty, Forest Preserve District of Cook County (FPDCC), representing the proposed Deer Grove West Woodland and Wetland Nature Preserve; Jim Payne, Grand Prairie Friends, representing the proposed buffer addition to Loda Cemetery Prairie Nature Preserve; Mike Groves and Tom Hartley, Winnebago County Forest Preserve District (WCFPD), representing the request for the pine plantation removal at Sugar River Alder Nature Preserve; George Maze, and Nancy Maze; and Kenneth Spale.

202-2) Adoption of Agenda

Item 12 will be presented after Item 7. Item 16 will be deferred. It was moved by Rosenthal, seconded by Allread, and carried that the Agenda be adopted as amended.

202-3) Approval of Minutes of the Special Meeting, January 26, 2009, and the 201st Meeting January, 27, 2009

It was moved by Flemal, seconded by Keating, and carried that the Special Meeting Minutes, January 26, 2009, and Minutes of the 201st Meeting, January 27, 2009, be approved.

Chair Riddell thanked Kim Roman, INPC, for organizing the fieldtrip on May 4, 2009, and Tom Micetich, IDNR, for his presentation on the deer program. Chair Riddell also thanked Bob Szafoni, IDNR, for his participation in the fieldtrip. She extended a special thanks to Tom Levy, Site Superintendant for Matthiessen State Park and Starved Rock State Park, for doing a great job managing the two sites.

Chair Riddell reported that at the 201st Meeting of the INPC, held on January 27, 2009, at the Illinois Department of Natural Resources, Springfield, legal protection for four tracts of land totaling 238.88 acres was approved by the Commission. Of these, three areas totaling 133.23 acres are owned by private individuals or not-for-profit corporations who donated the value of the protection agreement to the public. This private land was permanently preserved without acquisition of the land by the State. The dollar value of the tracts of private land is \$833,000 based on conservative estimates of the fair market value of the land. Private lands protected without State acquisition at INPC's 201st Meeting were Horn Prairie Grove Land and Water Reserve in Fayette County; Del Webb Sedge Meadow and Grove Nature Preserve in Kane County; and Carl N. Becker Savanna Nature Preserve in Kankakee County. Protection of this land came about because the Commission has nine staff members in the field working with private land owners. There are now 346 dedicated nature preserves in 83 counties, totaling 46,172.908 acres and 151 land and water reserves in 64 counties, totaling 42,163.194 acres.

202-4) 2009 Meeting Schedule

September 22, 2009 10:00 a.m. Illinois Beach Resort and Conference Center, Zion

202-5) INPC Staff Report

Jenny Skufca reported that the photo contest information for the celebration of the INPC's 500th site is on the INPC website, and she encouraged everyone to link to that site and participate in the event. The deadline to submit photos is August 7, 2009. The ultimate goal is to bring attention to the Commission's internationally recognized land protection program. The final product will be a large scale photo exhibit that will be developed with help from the Illinois State Museum.

Randy Heidorn presented the INPC staff report, and it is attached as Exhibit A. Mr. Heidorn stated that the staff has been busy with stewardship activities, and he would like to commend the staff on

the number of prescribed burns that were done this year. He stated that staff has been working closely with the IDNR on the rules for the implementation of the Illinois Prescribed Burning Act. A draft will be presented for review by the Illinois Prescribed Fire Council on May 7, 2009.

Steven Byers gave a PowerPoint presentation on the intrusion issue at Palatine Prairie Nature Preserve. Golf Nation erected a netting structure on their property, but the netting support guide wires intrude into the Nature Preserve. Golf Nation agreed to remove the guide wires, and the landowner entered into an agreement that a plan must be in place by July 1, 2009, with the infrastructure removed by September 1, 2009. Golf Nation has suggested that it does not want to keep that timeline.

He stated that it is the recommendation of Commission staff to pursue all legal means to have the infrastructure removed by September 1, 2009, and to correspond or meet with representatives from Golf Nation to signify the intent to do so. Mr. Byers stated that the Palatine Park District is very supportive of actions to have the infrastructure removed.

Commissioner Ross-Shannon asked if the IDNR legal staff have been consulted on this matter.

Randy Heidorn stated that the IDNR legal staff has been consulted, and if no action on Golf Nation's part has been undertaken by July 1, 2009, the IDNR legal staff will be asked to get involved with a potential referral to the Attorney General.

Chair Riddell, with the support of the Commissioners, directed staff to pursue this matter strongly and hold Golf Nation to the July 1, 2009 deadline.

202-6) IDNR Staff Report

Glen Kruse presented the IDNR staff report, and it is attached as Exhibit B.

202-7) Endangered Species Protection Board Report

Marilyn Campbell presented the ESPB report, and it is attached as Exhibit C.

Chair Riddell stated that the registration agreements for today's land and water reserve presentations are signed and executed by the landowners as required by administrative rule.

202-8) Henderson Co. – Harry N. Patterson Savanna Land and Water Reserve, Registration
(Actually Presented After Item 12)

Angella Moorehouse presented a proposal on behalf of the Illinois Department of Natural Resources (IDNR) to register the entire 540.85-acre Big River Natural Area (Illinois Natural Areas Inventory [INAI] #158) as Harry N. Patterson Savanna Land and Water Reserve. The site is located within the Mississippi River Section of the Mississippi River and Illinois River Sand Areas Natural Division and within the Upper Mississippi River Conservation Opportunity Area identified in the Illinois Wildlife Action Plan (IWAP). The registration of this site will represent the first site protected by the

INPC system in Henderson County. The site is significant because it supports two communities recognized by the INAI as Category 1, grade B dry sand prairie and grade C best of its kind dry sand savanna and as a Category 2 for supporting two state-endangered plants, Patterson's bindweed (*Stylisma pickeringii*) and large-flowered beardstongue (*Penstemon grandiflorus*), and two state-threatened species, kittentails (*Besseyia bullii*) and western hognose snake (*Heterodon nasicus*). The site also provides habitat for at least seven species of greatest need of conservation as identified by the IWAP. The proposed land and water reserve is being named in honor of historic resident botanist, Harry N. Patterson, for whom Patterson's bindweed is named.

Ms. Moorehouse stated that this site will allow public access, and hunting will continue to be permitted. There is an existing parking lot located in the southwest corner of the site. There are hiking/equestrian trails and an auto trail within the proposed land and water reserve. The established trails will be maintained and used for their designated purposes. The trails may be modified in the future with the approval of IDNR staff. Firebreaks will also be maintained. Snowmobiles will be allowed to use the firebreaks as posted on the site when there are four or more inches of snow on the ground.

It was moved by Schwegman, seconded by Keating, and carried that the following resolution be adopted:

The Commission grants approval for the registration of Harry N. Patterson Savanna in Henderson County as an Illinois land and water reserve, as described in the proposal presented under Item 8 of the Agenda for the 202nd Meeting.

(Resolution 2029)

202-9) Jo Daviess Co. – Rall Woods Land and Water Reserve, Registration

Jeff Horn presented a proposal on behalf of the IDNR to register Rall Woods State Natural Area (174.38 acres) and Falling Down Prairie State Natural Area (108.87 acres) as an Illinois land and water reserve. The 283.25-acre site proposed for registration lies within the Wisconsin Driftless Natural Division and will be known as Rall Woods Land and Water Reserve. The proposed land and water reserve will protect significant areas of loess hill prairie and areas of dry and mesic upland forest. The proposed site contains the entire 15-acre area identified as Falling Down Prairie INAI site (#1683) and is part of the Lost Mound - Hanover Bluff - Mississippi Palisades Conservation Opportunity Area identified in the IWAP. The proposed land and water reserve provides habitat for a number of species of conservation concern, particularly several bird species: yellow-billed cuckoo (*Coccyzus americanus*), northern flicker (*Colaptes auratus*), wood thrush (*Hylocichla mustelina*), red-headed woodpecker (*Melanerpes erythrocephalus*), Kentucky warbler (*Oporornis formosus*), ovenbird (*Seiurus aurocapillus*), field sparrow (*Spizella pusilla*), brown thrasher (*Toxostoma rufum*), and the state-threatened cerulean warbler (*Dendroica cerulea*). It also provides habitat for at least one mammal of conservation concern, the badger (*Taxidea taxus*). Registration of the site will provide protection for the significant natural resources while allowing compatible public hunting and other recreational programs.

Mr. Horn stated that that this site will allow public access. Hunting will continued to be permitted on Falling Down Prairie State Natural Area and will be expanded to include the entire site. At this time there is one parking lot with access to the site. To allow better access, an additional parking lot to accommodate four or five cars will be constructed along South Airhart Road near the north end of the site. There are over two miles of trails at the site, and the trails will be maintained per INPC guidelines.

It was moved by Rosenthal, seconded by Ross-Shannon, and carried that the following resolution be adopted:

The Commission grants approval for the registration of Rall Woods in Jo Daviess County as an Illinois land and water reserve, as described in the proposal presented under Item 9 of the Agenda for the 202nd Meeting.

(Resolution 2030)

202-10) Kankakee Co. –Addition to Aroma Forest Preserve Land and Water Reserve, Registration

Kim Roman presented a proposal on behalf of the Kankakee River Valley Forest Preserve District (KRVFPD) to register in perpetuity 30 acres as an addition to Aroma Forest Preserve Land and Water Reserve. In 1998, the KRVFPD registered in perpetuity 52 acres as Aroma Forest Preserve Land and Water Reserve. This site's natural features include several grade C communities: sedge meadow, sand prairie, sand savanna, and forested floodplain along the Kankakee River. The entire length of the Illinois portion of the Kankakee River is recognized as an INAI site (#1737). This site is located approximately five miles southeast of Kankakee within the Kankakee Sand Area Section of the Grand Prairie Natural Division. In 2008, the KRVFPD acquired a 30-acre brome field immediately south of Aroma Forest Preserve Land and Water Reserve with the help of an IDNR grant. The registration of the 30-acre addition will provide a buffer to the existing Land and Water Reserve, help complete good reserve design, and will provide additional protected habitat for wildlife, including the grasshopper sparrow (*Ammodramus savannarum*), a species identified in the IWAP to be in greatest need of conservation.

Ms. Roman reviewed the allowable uses which are consistent with the existing Land and Water Reserve.

It was moved by Flemal, seconded by Allread, and carried that the following resolution be adopted:

The Commission grants approval for the registration of an addition to Aroma Forest Preserve Land and Water Reserve in Kankakee County, as described in the proposal presented under Item 10 of the Agenda for the 202nd Meeting.

(Resolution 2031)

202-11) Lake Co. – Addition and Buffer Addition to Pistakee Bog Nature Preserve, Dedication

John Nelson presented a proposal on behalf of the IDNR for preliminary approval to dedicate four parcels of land comprising 10.23 acres as addition and 40.09 acres as buffer to Pistakee Bog Nature Preserve. Pistakee Bog is one of four wetland basins located within the Volo Bog State Natural Area. These wetland basins are Volo Bog, Pistakee Bog, Brandenburg Bog, and Lac Louette. The protection of these unique wetlands has long been a goal of the IDNR, the INPC, and The Nature Conservancy. Volo Bog was dedicated in 1970 as the 25th Illinois nature preserve. Pistakee Bog was dedicated as a nature preserve in 1975 and now includes the wetland basin known as Brandenburg Bog. The Nature Preserve lies within the Morainal Section of the Northeastern Morainal Natural Division. Pistakee Bog Nature Preserve has nine natural communities providing habitat for 11 state-listed plant species. Protection and restoration of the proposed additions supports four action steps identified in the IWAP for the Prairie Campaign, Wetlands Campaign, Forests Campaign, and Invasive Species Campaign. The Nature Preserve is currently 398.55 acres in size, and the IDNR owns and manages 373.13 of these acres. The remaining acreage is in two private ownerships known as the Lindblom addition and Brandenburg Lake Island buffer addition to Pistakee Bog Nature Preserve (2.34 and 23.08 acres, respectively). With approval of this proposal, the total area of legally protected land at Pistakee Bog Nature Preserve will increase to 448.87 acres.

Mr. Nelson stated that the IDNR reserves the right to construct a parking lot and trail access in the buffer area to facilitate public access. Compatible public uses such as hiking, birding, nature appreciation, and scientific study will continue to be approved activities. A deer hunting program on upland areas of the Nature Preserve will be implemented according to INPC management guidelines.

It was moved by Keating seconded by Schwegman, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of an addition and buffer addition to Pistakee Bog Nature Preserve in Lake County, as described in the proposal presented under Item 11 of the Agenda for the 202nd Meeting.

(Resolution 2032)

202-12) McHenry Co. – HUM Railroad Prairie Nature Preserve, Dedication
(Actually presented after Item 7)

Steven Byers presented a proposal on behalf of the McHenry County Conservation District (MCCD) for preliminary approval for dedication of the HUM Railroad Prairie as an Illinois nature preserve. The proposed nature preserve is 60.5 acres in size and includes all of the HUM Railroad Prairie East (#1269) and HUM Railroad Prairie West (#1270) INAI sites. The proposed nature preserve consists of 25-foot wide rights-of-way located on either side of a 50-foot wide active rail line spanning two different segments of rail line totaling 9.98 miles. The HUM Railroad Prairie East INAI site extends 6.1 miles from near Huntley to southeast of Union. The HUM Railroad Prairie West INAI site extends west 3.88 miles from Marengo to County Line Road. The INAI recognized both segments of

the proposed nature preserve for high-quality mesic prairie. HUM Railroad Prairie East was further recognized for high-quality wet prairie and wet-mesic prairie, while HUM Railroad Prairie West was recognized for high-quality dry-mesic prairie. The McHenry County Natural Areas Inventory recognized the presence of sedge meadow along the HUM Railroad Prairie East INAI site and dry sand prairie along the HUM Railroad Prairie West INAI site. The proposed nature preserve traverses from east to west both the Morainal Section and the Winnebago Section of the Northeastern Morainal Natural Division in McHenry County. The proposed HUM Railroad Prairie Nature Preserve supports six state-listed plant species, including the state-threatened common bog arrow grass (*Triglochin maritima*), slender bog arrow grass (*T. palustris*), and an orchid, and the state-endangered tall sunflower (*Helianthus giganteus*), prairie bush clover (*Lespedeza leptostachya*), and an orchid. The latter two species are also designated federally threatened. In addition, a state-threatened reptile and the state-endangered upland sandpiper (*Bartramia longicauda*) have been recorded from the proposed nature preserve. Dedication of this site is consistent with recommendations from the Chicago Wilderness Biodiversity Recovery Plan and elements of the IWAP; specifically action steps to restore and manage high-quality prairie communities and collaborate with other agencies for recovery plans and actions for rare or declining species. In addition, two habitat-restricted insect species, the silver-bordered fritillary (*Boloria selene*) and Dion skipper (*Euphyes dion*), have been recorded from the proposed nature preserve and are identified as species in greatest need of conservation. Finally, dedication of these railroad prairies will preserve two INAI sites and is consistent with MCCD's Mission Statement "...to preserve, restore, and manage natural areas and open spaces for their intrinsic value and for the benefit to present and future generations."

Mr. Byers reviewed the reserved rights outlined in the dedication proposal. Recommendations for the planning process were also discussed.

David Johnson, Village of Huntley, stated that for the last ten years the Village has shown two possible locations for commuter rail station in Huntley in its comprehensive plan. One of the sites is on Kreutzer Road. Mr. Byers' presentation talked about the Coyne Station site located in the northwest corner of the Village. The Village has been actively discussing the extension of commuter rail service with Metra for the last ten years and is eagerly awaiting their final feasibility study as to when commuter rail service will be extended to Huntley and Marengo. The Village's study is in the process of wrapping up. Approximately two years ago, the Village was awarded a grant from the Regional Transportation Authority to study the placement of the transit station and to look at what type of development the Village would like to encourage around a commuter rail site. The Village recognized the importance of bringing all stake holders to the table and understands the importance of the HUM trail and prairie. He stated that the MCCD has been a part of the process, and the Village appreciates that input. There are environmental resources that the Village would like to preserve, and the Village has been committed to that over the years. He stated that the Village has committed to creatively work with the INPC and the MCCD to bring commuter rail service to Huntley and understands the challenges that it has from an environmental standpoint. The Village is committed to working through those challenges with all stakeholders. He stated that the Village welcomes the opportunity to be a partner in making this something of which everyone can be proud.

Carlos Arevalo, of Zukowski, Rogers, Flood, and McArdle, representing the City of Marengo, stated that he had an opportunity to talk with Randy Heidorn on May 1, 2009, and he received a letter from Mr. Heidorn indicating what the dedication process entails. He stated that from the City's perspective, it is their desire to participate in the process by working together with the MCCD, the INPC, and the Village of Huntley to develop an acceptable plan that is consistent with the goals of all involved.

Deborah Nier, City of Marengo Administrator, stated the City has a sincere appreciation for the work done by the INPC and the MCCD to preserve and protect the natural resources. She stated that the City of Marengo has a responsibility to preserve and protect its citizens and to facilitate the prosperity of those citizens and the community. She stated that she did not feel that these missions are mutually exclusive, and that was why she was here today. She stated that she felt this was an opportunity for the two groups to work together toward a solution. The City feels that this transit oriented development, which has been defined as so important to the future prosperity of the communities, will help the MCCD and the State preserve the natural resources. As in the case of the Village of Huntley, the City of Marengo has been involved in a planning process for several years. She stated that three sites have been explored for this transit oriented development. Through the process of public open houses and consultations with McHenry County's commission and State legislators, one plan was chosen as the preferred plan. The City's preferred plan was presented by Mr. Byers. She stated that the City of Marengo is asking for the opportunity to be a part of this process, and she looked forward to working with the MCCD and the INPC.

Nancy Williamson, Trustee with the MCCD, stated that on behalf of the MCCD's president, Kim Hankins, she appreciated the Village of Huntley and the City of Marengo coming to the meeting to talk about the effort to work together. She stated the MCCD fully intends to be involved in this project and will look at all the alternatives. She stated that she felt that all parties understood the biological significance of the site, and it was the mission of the MCCD to protect the site.

Elizabeth Kessler, Executive Director of the MCCD, stated that the MCCD appreciated the opportunity to present a preliminary application for dedication. The MCCD has many sites that have been preserved and dedicated as nature preserves. The MCCD owns approximately 23,000 acres in McHenry County. She stated that she would also like to acknowledge and thank the Village of Huntley and the City of Marengo for being represented at the meeting, and the MCCD has pledged to work cooperatively with the municipalities. The MCCD serves as a resource that is willing to share the significance of the information in the District's databases.

Commissioner Schwegman stated that, prior to his retirement, he worked with Ed Collins to monitor the federally-listed prairie bush clover on this property, and he strongly approves the dedication of this area.

Jerry Paulson, Consultant to the INPC, stated that he was involved with the early phase of preserving this site with the INPC and the McHenry County Defenders. He stated that it was his opinion that it was very important for the Commission to be involved in the early stages of the planning for development next to the HUM prairies. In the early days, State development followed the railroad lines. Development then moved to the highways and interstates, and this encouraged suburban

development. He stated that it was his opinion, especially in the Chicago area, future development was going to go back to being tied to the extension of commuter rail lines. This extension, which will ultimately go all the way to Freeport and possibly Galena, will open up vast new areas of McHenry, Boone, Winnebago, and Stephenson counties to more suburban development. When new development is going in next to very fragile and narrow natural areas, there could be one intrusion after another. The problem of having cows on the prairie is nothing compared to swarms of people on dirt bikes or future demand for crossings for new suburban developments. The Boone County Conservation District is constantly being bombarded by developers for requests to cross its linear trail corridors. He stated that the Commission's role is very narrow in that the mission is to protect natural areas and endangered species. For the Commission to be actively involved in this process, traditionally it would need to grant preliminary approval for dedication. Some of the problems to be created by all of the new development will be the lowering of water tables that could affect the wet prairies and changing the drainage pattern. He stated that the Commission needs to create large set backs and buffer areas which will help when a prescribed burn is planned. The decision of where to put the transit station is ultimately a question for the State legislature because the transit station cannot be put on MCCD's property without the approval of the legislature. There will be public hearings at that point, and the US Fish and Wildlife Service will become involved. He stated that he would strongly urge the Commission to grant preliminary approval of this site so it will have an active role in the development process.

Commissioner Ross-Shannon stated that it was his opinion that the Commission should emphatically reject the request made by the attorneys representing the two municipalities to hold public hearings because the Commission has no obligation to do that. He stated that he was glad to have the municipalities represented at this meeting, but he did not appreciate the letter from the attorney. He asked if the Commission grants preliminary approval of this site, does that simply add the State as a participant in the planning process. The MCCD owns the property, and it was his understanding of State law that, because the MCCD is a public body, the two municipalities could not condemn the property. It would take an act of the legislature to affect the property. One of the great benefits of dedication is that no one can condemn property that has been dedicated as a nature preserve. Since that protection is already in place by being owned by a public body, the taking of this property would have to be dealt with through legislation. He stated that he lives in Rockford, and he is aware of the political priority for the City of Rockford to have the metro line extended to Belvidere and Rockford. He stated that as a matter of disclosure, he does a lot of work with the NLI, but he has never dealt with this particular property. If the Commission is going to be involved in this, especially if the Commission's protection slows down that development, there will be political issues. The Commission will have to be aware of that and be willing to deal with it because it has been a principle of the Commission that once it dedicates a site, a line in the sand had been drawn. No site has ever been undedicated. He stated that the one group that was not represented today was the railroad. He stated that he would like to have an idea of what the Commission is getting into before a final dedication is requested. Clearly, due to the biological significance of the site, it qualifies for dedication. He suggested that this matter be tabled today because he would like to know the whole picture before taking the big step toward dedication of the site. The MCCD has owned the property since 1992, and he wanted to know why the District has just now requested that this site be designated as a nature preserve. He stated that it was his concern that, if the point of this was to impede another process, the Commission was being used as a political pawn by the MCCD.

Nancy Williamson stated that, unfortunately, this was not good timing to look at dedication. The MCCD, compared to other forest preserves in the area, has not been pursuing many dedications. The MCCD was now looking at all of its properties to see what kind of protections they have. She stated that the MCCD began these discussions when it became aware of the Village of Huntley's proposed development. As it was stated by Mr. Byers, the Coyne Station was a bad area to be their primary consideration in terms of natural resources. The March draft version of the Transit-Oriented Development Guidelines from the Village of Huntley stated that this was the preferred site. This report still has the two possible strain station sites shown. The MCCD Board voted in January, 2009, to begin looking at preliminary dedication of this site. There has been a great deal of pressure from all sides to look at these concept plans.

Commissioner Ross-Shannon stated that the work being done by the MCCD is good, but he is looking at this particular site from a Commission viewpoint.

Ms. Williamson stated that there are 64 INAI sites on property owned by the MCCD, and it has other sites that could be considered for dedication. She stated that being a dedicated nature preserve also brings other resources to the site. The Illinois Clean Energy Community Foundation looks favorably on a site if it buffers a nature preserve. Money from the Natural Areas Acquisition Fund (NAAF) comes to the County in terms of helping with restoration on those sites.

Commissioner Ross-Shannon asked if the MCCD had considered registering this site as a land and water reserve.

Mr. Byers stated that it was his opinion that the site was best suited for protection as an Illinois nature preserve. He stated that the intent was to provide the highest level of protection available.

Chair Riddell stated that she has visited this site. In addition to the federally-listed and state-listed species, the quality of the ecosystem is extraordinary. It is the kind of place that people travel from long distances away to see, and it was not a marginal area for dedication.

Commissioner Flemal stated that he very much shared the concerns that Commissioner Ross-Shannon had expressed. He stated that the Commission needs to be very careful in an environment where there are limited resources, and in the long term, its role may be more defense than dedication of sites. He stated that it was his opinion that the Commission should not get in a situation where all of its resources get consumed by a few sites. He stated that he felt there was potential for that kind of thing happening with this site. At the same time, he also agreed with the Commissioners that this site was of high quality and was deserving of protection. He suggested that the appropriate action would be to confer preliminary approval for dedication with the understanding that it was intended to express the intent of the Commission rather than the ultimate step. This would allow some of the other issues to resolve themselves and give Commission a clearer picture of where this would take the Commission and the State before it entertained the request for final dedication.

Randy Heidorn stated that it was his feeling that there were several potential issues such as the crossing of various infrastructures and the problems associated with maintaining the site long-term.

He stated that he discussed these issues with Mr. Byers in January, 2009. These issues need to be put on the table at this time so they can be resolved prior to the site coming before the Commission for final dedication. He stated that it was his opinion that it was important to proceed with the preliminary approval. Preliminary approval says the site qualifies, and it is feasible to proceed with dedication. Staff can facilitate the work with the various agencies. Ultimately, a different proposal all together may be brought back to the Commission. It is also possible that it will never come back to the Commission for final approval, or it could come back as a land and water reserve. The first step needs to be the determination of the Commission that this is feasible before the process can move along.

Brian Anderson, Advisor to the INPC, stated that he wanted to point out that the Commission has faced this situation many times. He stated that there has been a tradition and concept that the past Commissioners have followed to try and maintain preliminary approval as a biological determination. The problem is that if you abandon that in favor of taking into consideration for preliminary approval all of the administrative, political, and stewardship activities, you essentially back yourself out. Preliminary approval makes a very public statement that the interests of the people of Illinois are also at stake here. In the discussion in terms of moving forward, their interest, as well as the interests of the local people, should also be considered. He would also echo some of the things that have been said; with preliminary approval comes the interest and the considerable resources of the State of Illinois. He suggested to the Commissioners that those were very positive things in this case. There is tremendous expertise and funding available to assist in the planning and mitigation. Ultimately, if it comes back for final approval, the Commission has very broad latitude to dedicate just a portion of the site. There was one case where a site was given preliminary approval, and when it was brought back for final approval two meetings later, it was turned down. It was brought back 17 years later and was dedicated. He felt it would be judicious to focus on whether or not this site qualify as a nature preserve. If it qualifies, it means that the interests of all the people of Illinois are involved with this site.

David Johnson stated that he does not want the Commission to believe that the Village of Huntley's commuter rail plans just started within the last year. The published comprehensive plan was a very public process that goes back ten years. The Coyne Station site was identified as a potential commuter rail site in the Village of Huntley, and this has been a long range plan. The Village Board believes that both the Coyne Station site and the Kruetzer Road site are possibilities. He stated that he felt it was important that these opportunities be kept on the table. He also stated that he would like to apologize, on behalf of the Village of Huntley, in terms of the letter from the attorney. He stated that the letter was not meant to offend the Commission. It was their intent to communicate the Village's concern on how it became aware of the request for preliminary approval for dedication. The request for preliminary dedication was just recently brought to the Village's attention. The Village has discussed this with the MCCD, and it has moved passed that.

Commissioner Ross-Shannon stated that, after listening to all the comments, he would support preliminary approval for dedication of this site. He stated that his concern was that, as previously stated, this was the worst design possible for a nature preserve. Another concern was that the terms of some of the Commissioners have expired, and the members of the Commission could change substantially before there was any final decision. The sense of what was being done today could be

somewhat lost on the new Commissioners. He stated that his biggest concern was that the Commission would be dealing with a great deal of stewardship issues because of the design of the site.

It was moved by Ross-Shannon, seconded by Rosenthal, and carried that the following resolution be adopted:

The Commission grants preliminary approval for dedication of HUM Railroad Prairie in McHenry County as an Illinois nature preserve, as described in the proposal presented under Item 12 of the Agenda for the 202nd Meeting.

(Resolution 2033)

Commissioner Rosenthal stated that she felt it was important to note that staff should be directed to work with all parties involved in this project.

Commissioner Keating stated that one of the things that allowed him to vote in favor of the preliminary approval was the sincere expression of all parties involved to work together and cooperate for the good of the public and of nature. He urged everyone to take this seriously as this moves forward.

Chair Riddell stated that everyone here has an interest in the environment, and transit oriented development helps support that. She stated that the Commission supports what is being done, but it also wants to make sure the natural features are being protected.

202-13) Cook Co. – Deer Grove West Woodland and Wetland Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the Forest Preserve District of Cook County (FPDCC) for final approval of dedication of the 1,035.1-acre Deer Grove West Woodland and Wetland as an Illinois nature preserve. The proposed nature preserve encompasses the entire Deer Grove West INAI site (#775) and includes 786.9 acres as nature preserve and 248.8 acres as nature preserve buffer. The proposed nature preserve is located in the Morainal Section of the Northeastern Morainal Natural Division in Cook County. The proposed Deer Grove West Woodland and Wetland Nature Preserve supports savanna, dry-mesic upland forest, mesic upland forest, wet floodplain forest, sedge meadow, and wetland communities that collectively provide habitat for 394 native plant species. Among the plant species are the state-threatened forked aster (*Aster furcatus*), pale vetchling (*Lathyrus ochroleucus*), small sundrops (*Oenothera perennis*), and marsh speedwell (*Veronica scutellata*) and the state-endangered bulrush (*Scirpus hattorianus*). State-threatened or endangered wildlife species reported from the site include the black tern (*Chlidonias niger*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), cerulean warbler (*Dendroica cerulea*), and a reptile. A large and diverse array of wildlife species have been recorded from the proposed nature preserve, including 16 bird species, that are either highly or moderately sensitive to forest fragmentation. The proposed nature preserve supports several action steps identified in the IWAP, most notably management of area-sensitive wildlife species in forests greater than 1,000 acres and support of a specific recommendation for the Northeastern Morainal Natural Division to restore and

manage four to five forested sites between 800-1,000 acres in size. In addition, the proposed nature preserve supports 18 species considered wildlife species in greatest need of conservation. Finally, dedication of this site as an Illinois nature preserve reaffirms the significance of Deer Grove as the first acquisition of land by the FPDCC. By doing so, it honors the foresight of many early conservationists, the on-going commitment of the FPDCC to "...preserve, protect, restock, and restore...", and the legacy and significance of the Cook County Forest Preserve District Act, Downstate Forest Preserve Act, and Conservation District Act in acquiring nearly 171,000 acres of land to date in northeastern Illinois. The Commission conferred preliminary approval for dedication at its 199th Meeting in August, 2008 (Resolution 2002).

It was moved by Allread, seconded by Flemal, and carried that the following resolution be approved:

The Commission grants final approval dedication of Deer Grove West Woodland and Wetland in Cook County as an Illinois nature preserve, as described in the proposal presented under Item 13 of the Agenda for the 202nd Meeting.

(Resolution 2034)

It was moved by Rosenthal, seconded by Ross-Shannon, and carried that the following resolution be approved:

WHEREAS, the Illinois Nature Preserves Commission recommends that Deer Grove West, owned by the Forest Preserve District of Cook County, become the 500th site in the Illinois Nature Preserves System, and that upon signature of the Governor of Illinois, this worthy goal will be accomplished; and

WHEREAS, the Illinois Nature Preserves Commission is world-renowned for assisting private and public landowners in protecting the State's most rare natural areas in perpetuity through voluntary dedication or registration of lands into the Illinois Nature Preserves System; and

WHEREAS, in 1916 Deer Grove was purchased by the Forest Preserve District of Cook County, and thus became the first forest preserve in Illinois and the first jewel in an emerald necklace of public forest preserves that now account for more than 68,000 acres, exceeding 11 percent of the land in Cook County; and

WHEREAS, 2009 is the 100th anniversary of Daniel Burnham's "**Plan of Chicago**" which became a blueprint for action by civic and government leaders and created a legacy of regional forest preserves; and

WHEREAS, Deer Grove West provides more than 1,000 acres of forest and wetland habitat for 394 native plant species, 8 State-endangered or threatened plant and animal species, and 18 species considered by the Illinois Department of Natural Resources as wildlife "in greatest need of conservation;" and

WHEREAS, the Forest Preserve District of Cook County, having more sites in the Illinois Nature Preserves System than any other landowner except the State of Illinois, has become the largest local partner with the Illinois Nature Preserves Commission by dedicating nearly 5,000 acres as nature preserves, registering nearly 1,500 acres as land and water reserves, and recommending additional sites to the Illinois Nature Preserves System; and

WHEREAS, the restoration and stewardship of natural lands in order to retain their natural

characteristics is as large a challenge for our new century as is protecting additional land; and **WHEREAS**, the Forest Preserve District of Cook County has renewed its commitment to manage Deer Grove West and much of its extensive holdings “in as near a natural condition as possible;” **THEREFORE BE IT RESOLVED**, that the Illinois Nature Preserves Commission commends the Forest Preserve District of Cook County for bringing Deer Grove West forward for dedication and protection as an Illinois nature preserve and celebrates its recommendation as the 500th site in the Illinois Nature Preserves System. The Commission cherishes the long and productive partnership with the Forest Preserve District, and looks forward to working with the District to protect, manage, and defend natural areas in Cook County today and for future generation.

(Resolution 2035)

A plaque containing the resolution was presented to Cathy Geraghty, FPDCC. Ms. Geraghty thanked the Commission for its efforts in preserving natural areas, and she stated that the FPDCC values its partnership with the INPC.

202-14) Cook Co. – Natural Land Institute – George B. Fell Prairie Addition to Gensburg-Markham Prairie Nature Preserve, Dedication

Steven Byers presented a proposal on behalf of the Natural Land Institute (NLI) and the City of Markham for final approval of dedication of 12.39 acres as the Natural Land Institute – George B. Fell Prairie addition to Gensburg-Markham Prairie Nature Preserve. The proposed addition, which is owned by the NLI, is located in the Chicago Lake Plain Section of the Northeastern Morainal Natural Division and consists of 91 lots (7.67 acres) and platted, but not built upon, roads (4.72 acres). The 91 lots and platted roads are subject to an agreement between the NLI and the City of Markham that provides for exchange of properties and provides that the City of Markham will “... assist and cooperate with the INPC, in good faith, to facilitate the dedication of the Markham properties as an Illinois Nature Preserve.” The proposed addition is located just south of Gensburg-Markham Prairie Nature Preserve and lies embedded within boundaries for both the INAI site (#400) and the National Registry of Natural Landmarks designated by the U.S. National Park Service. Elements of high-quality mesic prairie and sedge meadow, and grade C mesic sand prairie and wet-mesic prairie occur within the proposed addition. The proposed addition supports a population of a federally-threatened and state-endangered orchid, another state-endangered orchid, and the state-threatened small sundrops (*Oenothera perennis*). Dedication of this addition is consistent with the recommendations of an approved Master Plan for this site, good preserve design considerations, and elements of the IWAP, specifically action steps to restore and manage high-quality wetland and prairie communities. Dedication of the proposed addition (12.39) acres will increase the size of Gensburg-Markham Prairie Nature Preserve from 125.826 acres to 138.216 acres. To date, there are an additional 31.934 acres that have received preliminary approval for dedication as additions to Gensburg-Markham Prairie. A quote from “*A legacy of natural lands - George B. Fell and the Natural Land Institute*” summarizes the leadership provided by George B. Fell: “The fight to preserve Gensburg-Markham Prairie was to be George’s last, and his penultimate preservation effort.” The Commission conferred preliminary approval for dedication at its 196th Meeting in October, 2007 (Resolution 1971).

Jerry Paulson stated that the title transfer had not taken place as of this date; however, the dedication documents would be signed as soon as that transfer has been completed.

It was moved by Schwegman, seconded by Allread, and carried, with Ross-Shannon abstaining, that the following resolution be approved:

The Commission grants final approval for dedication of the Natural Land Institute – George B. Fell Prairie addition to Gensburg-Markham Prairie Nature Preserve in Cook County, as described in the proposal presented under Item 14 of the Agenda for the 202nd Meeting.

(Resolution 2036)

202-15) Hancock Co. – Buffer Addition to Stony Hills Nature Preserve, Dedication

Angella Moorehouse presented a proposal on behalf of Gretchen Graft Batz and Roger Batz for final approval for dedication of a 140-acre buffer addition to Stony Hills Nature Preserve. The Batzs' own 195.81 acres at this site, all of which was registered as Jamar Haven Land and Water Reserve in November, 1999 (Resolution #1504). In May, 2003 (Resolution #1750), 54.4 acres of the reserve was dedicated as Stony Hills Nature Preserve. The current proposed buffer addition would increase the total size of the Nature Preserve to 194.4 acres, making it the second largest Illinois nature preserve owned by private individuals. A small area (approximately 1.4 acres) around a historic barn, included in the reserve, will remain undedicated. The site lies within the Glaciated Section of the Middle Mississippi Border Natural Division. Significant features include: unique geological exposure and site suitable habitat for two state-threatened species, a reptile and Henslow's sparrow (*Ammodramus henslowii*). The site also supports at least six prairie and savanna specialists, five birds and one mammal, identified by the IWAP as species in greatest need of conservation. Management of the site focuses on goals established for the IWAP Farmland and Prairie Campaign. The Commission conferred preliminary approval for dedication at its 201st Meeting in January, 2009 (Resolution #2024).

Alice Henry, Prairie Land Conservancy (PLC), stated that they are very excited about this site. She stated that this dedication would serve as a great example for the entire Hancock County area of what can be done. She stated that the PLC is appreciative of a mechanism like the INPC to help protect the site.

It was moved by Keating, seconded by Rosenthal, and carried that the following resolution be approved:

The Commission grants final approval for dedication of a buffer addition to Stony Hills Nature Preserve in Hancock County, as described in the proposal presented under Item 15 of the Agenda for the 202nd Meeting.

(Resolution 2037)

202-16) Hardin Co. – Lafarge Limestone Glade Nature Preserve, Dedication

The dedication proposal for Lafarge Limestone Glade Nature Preserve was deferred.

202-17) Iroquois Co. – Buffer Addition to Loda Cemetery Prairie Nature Preserve, Dedication

Mary Kay Solecki presented a proposal on behalf of the Grand Prairie Friends for final approval of dedication of a 9-acre crop field as a buffer addition to Loda Cemetery Prairie Nature Preserve. The field surrounds Loda Cemetery Prairie on three sides and is being restored to native prairie vegetation. The proposed buffer addition is located near the town of Loda, approximately 30 miles northeast of Champaign, within the Grand Prairie Section of the Grand Prairie Natural Division. Loda Cemetery Prairie Nature Preserve is one of the finest black soil prairie remnants in central Illinois. This 3.4-acre prairie is recognized by the INAI as a grade A mesic prairie known as Pine Ridge Cemetery Prairie INAI site (#1037). The 3.4 acres of grade A mesic prairie at Loda Prairie are 24% of the total grade A mesic prairie known within the Grand Prairie Natural Division. In addition, the prairie harbors a federally and state-endangered orchid. Restoration of the 9-acre field to prairie will more than triple the size of the prairie at Loda Cemetery Prairie from 3.4 acres to 12.4 acres. Small size and isolation are among the greatest stresses to Illinois' native prairies. For many prairies, invasive species are a chronic problem made worse when prairies have a large amount of edge compared to interior habitat. Enlarging the prairie will help alleviate stresses attributable to small size and make the prairie more attractive to wildlife including songbirds. The Commission conferred preliminary approval for dedication at its 201st Meeting in January, 2009 (Resolution 2025).

It was moved by Ross-Shannon, seconded by Flemal, and carried, with Payne abstaining, that the following resolution be approved:

The Commission grants final approval for dedication of a buffer addition to Loda Cemetery Prairie Nature Preserve in Iroquois County, as described in the proposal presented under Item 17 of the Agenda for the 202nd Meeting.

(Resolution 2038)

A lunch break was taken from 11:50 a.m. – 12:40 p.m.

202-18) Winnebago Co. – Sugar River Alder Nature Preserve, Pine Plantation Removal Request

John Nelson stated that the Winnebago County Forest Preserve District (WCFPD) seeks approval to remove a 10.3-acre pine plantation from within Sugar River Alder Nature Preserve. The plantation is approximately 30 years old and consists of red and white pine trees planted in rows at eight foot spacing. The removal of the pine plantation will allow for a prairie restoration consistent with the presettlement conditions documented at the 186.07-acre Nature Preserve. Removal of the pine plantation will also increase the amount of native grassland at the site thus providing better habitat for grassland dependant birds. A timber harvest company will remove the pine trees for pulp and/or

saw logs. Any funds generated as a result of the harvest will be used to restore the area to native prairie and open oak savanna. An updated three year management plan for the Nature Preserve is on file and includes prairie and savanna restoration as management objectives.

Mike Groves, Natural Resources Manager with the WCFPD, stated that he was requesting approval for the removal of a pine plantation at Sugar River Alder Nature Preserve. He gave a comprehensive PowerPoint presentation outlining the project. Removal of the pines would restore the area to its original condition and promote native prairie communities within the Nature Preserve. This would also allow for the enlargement of the existing prairie restoration and increase the nesting bird potential. It was hoped that the removal of the pines would help restore some of the remnant dolomite hill prairies, restore some of the dry upland forest, and recreate the dry savanna condition.

Commissioner Flemal asked if the stumps would be removed.

Mr. Groves stated that the stumps would probably be ground down to allow for seeding.

Commissioner Keating asked if they anticipate any problems with the pine needles and other accumulated resins that would make soil conditioning necessary.

Mr. Groves stated that he has never tried to restore prairie after the removal of pine trees, and they may have to let the site sit for a year or two with only a cover crop.

Mr. Nelson stated that there would be a great deal of site preparation following the pine tree harvest. The tree tops and branches would probably be burned onsite. The sandy soils should lend to a quick prairie restoration.

Chair Riddell asked if there were birds nesting in the pines that were likely to be displaced.

Mr. Groves stated that there are other pines in the surrounding areas that could be used for nesting.

It was moved by Schwegman, seconded by Flemal, and carried, with Ross-Shannon abstaining, that the following resolution be adopted:

The Commission approves the request by the Winnebago County Forest Preserve District to remove the pine plantation at Sugar River Alder Nature Preserve as presented under Item 18 of the Agenda for the 202nd Meeting.

(Resolution 2039)

202-19) Natural Areas Acquisition Fund Fiscal Year 2010 Stewardship Proposals

Deborah Stone gave a brief overview and PowerPoint presentation on the relationship of the NAAF revenues and expenditures relating to the discussions of stewardship, defense, and land acquisition projects. The State of Illinois statutes divide the real estate transfer tax into three pieces: 50% goes to the Illinois Affordable Housing Trust Fund; 35% goes to the Open Space Lands Acquisition and

Development (OSLAD) Fund; and the remaining 15% of the fund's revenue goes into the NAAF which is used for support of activities for natural areas, including land acquisition. The OSLAD Fund is used to give grants to local government entities for development of recreational facilities and for acquisition of open space. In any given year, approximately 15-25% of those grants go for acquisition of open space. She stated that given certain assumptions and projected activity, the NAAF may have a negative balance by 2012. This, and the fact that there was no cash to cover the full appropriation, was the reason for not spending the full appropriation for land in the last couple of years. At this point, the amount of funding spent out of the NAAF going to staff is holding steady.

The Natural Areas Stewardship project uses monies provided by the NAAF (15% of NAAF capital appropriation) to fund management activities on both state and non-state-owned nature preserves and land and water reserves. From currently proposed FY2010 appropriations, \$450,000 will be available for natural areas stewardship needs statewide. Proposed projects will match an additional \$126,500 in non-state funds for natural areas management.

Bob Szafoni gave a PowerPoint presentation on the proposed FY10 NAAF stewardship program. He stated that the proposed FY10 capital appropriation is \$3 million. A breakdown of the appropriation is 15% for stewardship (\$450,000), 7.5% for defense (\$225,000), and 77.5% for land acquisition (\$2,325,000). Based on past history, the IDNR, INPC, and TNC support the statewide Volunteer Stewardship Network (VSN), and an annual amount allocated for that is \$5,000. Each of the IDNR regional biologists, as well as the INPC field staff, are allocated \$30,000 per year for stewardship to cover discretionary items. This allows some flexibility to address the needs of those unexpected projects. The remainder of the funds, approximately 60% of the \$450,000, goes to site-specific stewardship projects which were outlined in a list given to each Commissioner. The list consists of 80 proposals which totals approximately \$800,000. Approximately one-half of the proposals are on IDNR-owned sites. Seventy of the proposals are on INPC-protected natural areas. Six projects are located on other protected INAI sites which are not in an INPC program but are owned by a landowner, like the IDNR, whose mission is to protect natural resources. Four projects are on non-INAI sites, but the land buffers existing INAI sites or preserves. Approximately 80% of the projects address exotic and invasive species issues. The remaining 20% support other stewardship needs such as prairie, prairie wetland, tree planting, and prescribed burning. Other issues are lumped into site integrity such as boundary fencing. Of the 80 projects on the list, 11 have match money from federal sources that totals approximately \$145,000. Six projects have in kind matches, typically from the landowner or the land trust that owns the property. Even though the list of projects is much greater than the resources available to carry them out, the projects are listed in a coarse rank order. There is flexibility to rearrange the projects on the list in order to make use of the available funds. He stated that the IDNR and INPC staff recommend the approval of the list of stewardship projects.

It was moved by Keating, seconded by Allread, and carried that the following resolution be adopted:

The Commission approves the Fiscal Year 2010 Natural Areas Acquisition Fund stewardship proposal list as presented under Item 19 of the Agenda for the 202nd Meeting.

(Resolution 2040)

202-20) Natural Areas Acquisition Fund Fiscal Year 2010 Defense Proposals

Randy Heidorn stated that the Natural Areas Defense Program uses monies provided by the NAAF (historically 5% of NAAF capital appropriation) to fund contractual natural area defense activities needed on properties included in one of the INPC's protection programs. From the FY2008 NAAF capital appropriation, \$475,000 was available to defend natural areas statewide. For the FY2009 NAAF capital appropriation, \$225,000 was ultimately allocated. NAAF defense projects that were begun in FY2008 and completed or continued in FY2009 include: the pick up of asbestos containing material (ACM) in North Dunes Nature Preserve and Illinois Beach Nature Preserve; the collection of hydrological data required for permit applications to allow reconstruction and restoration of hydrology and prevent drainage in the Cache River system which includes Heron Pond-Little Black Slough Nature Preserve, Section 8 Woods Nature Preserve and Cache River Land and Water Reserve; funding the Illinois State Water Survey and Illinois State Geological Survey to collect and review groundwater data needed to assess impacts of proposed off-site development, threats or damages, prepare Class III Special Resource Groundwater petitions to the Illinois Environmental Protection Agency for INPC program sites and provide groundwater consulting services for the INPC staff; and fencing off hazardous mine air shafts that have been preventing management. New projects/contracts initiated in FY2009 include: the development of engineering plans to stabilize the ACM contaminated sand pile north of North Dunes Nature Preserve; addressing wildfire management at Sand Prairie-Scrub Oak Nature Preserve, Lake in the Hills Fen Nature Preserve and other INPC sites; re-sampling of Category 1 INAI sites in INPC programs by the INAI update team to assess conditions in the sites (prelude to monitoring); and a continuation of the aforementioned groundwater consulting services. Approximately \$86,000 of the two years of allocations remains unassigned to specific projects. This money remains available to address threats that may arise. Based on the FY2010 budget proposal, \$150,000 may be available for allocation to defense. Specific projects will be selected as needed but will likely include a continuation of the aforementioned groundwater data and consultation services at some level. Specific projects funded during FY2010 will be reported in May, 2010.

It was moved by Ross-Shannon, seconded by Rosenthal, and carried that the following resolution be adopted:

The Commission approves the Fiscal Year 2010 Natural Areas Acquisition Fund defense expenditures as presented under Item 20 of the Agenda for the 202nd Meeting.

(Resolution 2041)

202-21) Public Comment

Bob Edgin stated that he wanted to acknowledge Samantha Adams for her work as a resident intern with the INPC. He stated that she accomplished a great deal during her internship.

Samantha Adams thanked Mr. Edgin and the Commission for an amazing year as a resident intern.

Tracy Evans stated that, on behalf of the Native Plant Society, she would like to invite paper submissions for its peer review journal *Erigenia*.

Joe Roth thanked the Commission for its preliminary approval for dedication of HUM Railroad Prairie Nature Preserve. He also wanted to congratulate the Commission for the final approval of Deer Grove West Woodland and Wetland as an Illinois nature preserve. He stated that a multimillion dollar restoration project will hopefully be started on the east side of Deer Grove which will compel the FPDCC to come back to the Commission for additional dedications. It was also hoped that work will be done on the west side of the site. He stated that the challenge was how to work together to get the information out to educate the public.

202-22) Natural Areas Acquisition Fund Fiscal Year 2010 Land Acquisition Proposals

Don McFall gave a PowerPoint presentation showing the progress of properties acquired using the NAAF. The NAAF is administered by the IDNR with review and recommendation of land acquisition projects by the INPC. The IDNR has identified 20 high priority tracts of land currently for sale within 16 natural areas. Depending on the final IDNR budget, tracts from this list will be considered for state acquisition in FY2010. All the proposed acquisition parcels are included on the INAI, and/or provide habitat for endangered or threatened species of animals or plants. Eighteen of the tracts expand existing state natural areas. Two of the tracts would be new state natural areas. Sixteen of the 20 tracts are included in conservation opportunity areas of the IWAP. The proposed acquisitions total 2,800 acres and would cost approximately \$12,600,000 to acquire. The amount for natural area acquisition with NAAF in the proposed state budget is \$3,000,000. As of April 10, 2009, the final state budget has not been approved. INPC is asked to review and approve a longer list than there is funding for because grant money and partner contributions will be sought to stretch NAAF dollars and negotiations with some landowners will not be successful.

Tracts in proposed areas for acquisition are as follows: (The areas are listed in general priority order.)

Wise Ridge, Johnson County
Kickapoo State Park, Vermilion County
Stemler Cave Woods, St. Clair County
Apple River Canyon, Jo Daviess County
Cretaceous Hills, Pope County
Hanover Bluff, Jo Daviess County
Iroquois County Conservation Area, Iroquois and Kankakee counties
Kidd Lake Marsh, Monroe County
Illinois Caverns, Monroe County
Cache River, Johnson County
Harlem Hills, Winnebago County
Siloam Springs, Adams and Brown counties
Prairie Ridge, Jasper County
Milan Bottoms, Rock Island County
Wolf Road Prairie, Cook County

It was moved by Allread, seconded by Schwegman, and carried that the Illinois Nature Preserves Commission go into closed session, pursuant to Section 2(c)(5) of the Illinois Open Meetings Act [5ILCS 120/2(c)(5)] for purposes of discussing the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.” A unanimous roll-call vote was taken. Closed session started at 1:45 p.m.

The meeting was called back to order at 2:00 p.m. by Chair Riddell.

It was moved by Schwegman, seconded by Allread, and carried that the following resolution be adopted:

The Commission approves the Fiscal Year 2010 Natural Areas Acquisition Fund land acquisition list as presented under Item 22 of the Agenda for the 202nd Meeting.

(Resolution 2042)

202-23) Other Business

Chair Riddell stated that three sets of minutes from closed meetings of the Commission were included in the Commissioners’ packets. The meeting dates were August 2, 2005, May 2, 2006, and May 6, 2008. These meetings were closed in accordance with the Open Meetings Act to discuss the purchase of real property. Section 2.06 of the Open Meetings Act provides that public bodies, “shall periodically, but no less than semi-annually, meet to review minutes of all closed sessions. At such meetings, a determination shall be made and reported in an open session that: 1. the need for confidentiality still exists as to all or part of those minutes, or 2. that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.” She asked for a motion to determine whether or not the minutes from each meeting should be kept closed.

It was moved by Allread, seconded by Keating, and carried that the following resolution be adopted:

In accordance with the Open Meetings Act, the closed session minutes from the August 2, 2005, May 2, 2006, and May 6, 2008, meetings will remain confidential but will be reviewed semi-annually to ascertain the need to be kept confidential.

(Resolution 2043)

Chair Riddell stated that a nominating committee will be formed to select officers, and nominations will be presented at the September 22, 2009 meeting.

Chair Riddell stated that Commissioner Ross-Shannon is being honored later this evening and will receive the Seth B. Atwood Memorial Park and Conservation Service Award from the Rockford Park District and the Winnebago Forest Preserve District. This is a prestigious award that George Fell and other conservationists have won in the past.

202-24) Adjournment

It was moved by Flemal, seconded by Rosenthal, and carried that the meeting be adjourned at 2:05 p.m.

Illinois Nature Preserves Commission
One Natural Resources Way
Springfield, IL 62702
217/785-8686

Exhibit A



Nature
Preserves
Commission

Illinois

memorandum

To: Commissioners

From: Randy Heidorn, Kelly Neal, and Jenny Skufca

Date: May 1, 2009

Subject: Staff Report for the 202nd Meeting of the Illinois Nature Preserves Commission

I. Illinois Nature Preserves Commission (INPC) Operations:

- A. Jenny Skufca continued coordination and development of the photo contest to celebrate the 500th protected site and met with the IDNR web designer to further refine the INPC 500th Site Photo Contest announcement.
- B. Samantha Adams, Graduate Resident Intern, completed the update of the INPC's online Nature Preserve Directory with input from the field staff.
- C. Deborah Stone, Randy Heidorn, Jenny Skufca, and Steven Byers worked with the IDNR and the INPC Commissioners and Consultants to develop a special event tied to the dedication of the 500th INPC protected site. Specific plans are still under development.
- D. Randy Heidorn, Kelly Neal, and Jenny Skufca reviewed proposals for the Wildlife Preservation Fund. Ms. Neal represented the INPC at the review meeting.
- E. Kelly Neal, Deborah Stone, and Randy Heidorn continued preparation of the INPC biennial reports.
- F. Kim Roman moved all of her field equipment to the IDNR-owned garage at Wolf Road Prairie.
- G. Tom Lerczak received delivery of a new vehicle (Ford F250 truck).

II. Training, Presentations, and Meetings Attended:

- A. Field staff completed the 7-Minute Safety Trainer Modules.
- B. Kelly Neal, Debbie Newman, and Jenny Skufca attended a karst short course providing an overview of karst areas and management issues.
- C. Steven Byers, Debbie Newman, Kim Roman, and Jason Inczauskis, Graduate Resident Intern, completed Hazardous Materials training with the IDNR.
- D. Kelly Neal, Kim Roman, Jenny Skufca, and Mary Kay Solecki attended a Symposium on Prairie and Savanna Restoration in honor of Dr. Roger Anderson.
- E. Kelly Neal and Jenny Skufca participated in further training on ArcView GIS field biotics and map-making.
- F. Angella Moorehouse, Tom Lerczak, and Kim Roman completed the Illinois Department of Agriculture pesticide General Standards and Right-of-Way workshops and testing. Their Right-of-Way applicator's licenses were renewed.
- G. John Nelson:
 - 1. Met with personnel from other agencies involved with Project Quercus in McHenry County which was offered by the Land Conservancy.
 - 2. Attended a Land Management Workshop held by the Natural Land Institute (NLI).

- H. Steven Byers served as Chicago Wilderness co-chair of the Natural Resources Management Team with Jeff Mengler of the U.S. Fish and Wildlife Service (FWS).
- I. Angella Moorehouse:
 - 1. Assisted staff from Augustana College and Rock Island Soil and Water Conservation District (SWCD) with planning and execution of the Hill Prairie Conference scheduled for May 1-2, 2009.
 - 2. Gave an interview for the *Quad Cities Times* newspaper on February 20, 2009, on the topic of exotic plant control issues in western Illinois.
 - 3. Gave two presentations on March 5, 2009, for an exotic plant workshop in the Quad Cities hosted by the Iowa Cooperative Extension Service and the Quad Cities Natural Area Guardians (NAG).
- J. Debbie Newman attended the Resource Conservation and Development Council's 20th anniversary annual meeting.
- K. Jenny Skufca attended a four-day OSHA 30 course on General Industry Health and Safety.

III. Inventory and Monitoring:

- A. Field staff provided landowner contact and other site information as requested by the Illinois Natural Areas Inventory (INAI) update staff.
- B. Kim Roman:
 - 1. Submitted a monitoring report for sweet fern (*Comptonia peregrine*) to a Plants of Concern program at the Chicago Botanic Garden.
 - 2. Organized a crew and obtained landowner permission to survey four-toed salamanders.
 - 3. Worked with Steven Byers to implement water quality sampling, funded by the INPC and Save the Prairie Society, at Wolf Road Prairie.
- C. Mary Kay Solecki:
 - 1. Prepared and submitted INAI site surveillance forms to the Natural Heritage Database.
 - 2. Surveyed beech trees with volunteer stewards for potential beech bark disease at Russell M. Duffin Nature Preserve (NP).
- D. Debbie Newman:
 - 1. Participated in a meeting to discuss flatwoods INAI classification re-examination.
 - 2. Conducted site surveillance at several sites.
- E. Bob Edgin evaluated one privately-owned site to determine eligibility for INPC programs.
- F. Jason Inczauskis assisted IDNR District Heritage Biologist Brad Semel with Volo Bog State Natural Area (SNA) bat data.

IV. Protection Program:

- A. Staff met with landowners and managers to plan and draft protection proposals that are on the agenda of the 202nd meeting.
- B. Mary Kay Solecki reviewed all protection proposals and NP and land and water reserve (LWR) documents for the 202nd INPC meeting. Ms. Solecki also updated certain NP and LWR templates. Tom Lerczak reviewed one NP final dedication document from Ms. Solecki's area.
- C. John Nelson:
 - 1. Attended an Oregon City Council meeting to present a proposal for registration of the City's islands in the Rock River as additions to Kyte River Bottoms LWR.
 - 2. Provided information regarding federal stimulus monies available for purchase of flood/conservation easements to the City of Oregon and one private landowner.
 - 3. Met with landowners near White Pines Forest NP in Ogle County to assess land for possible protection under INPC programs.
 - 4. Sent two letters and enclosed an INPC protection brochure to landowners in the Boone Creek Fen and Seep INAI site.
- D. Steven Byers:
 - 1. Continued meetings with staff of the U.S. FWS, Openlands Project, McHenry County Conservation District, and Friends of Hack-ma-tack to bring a U.S. FWS refuge to northeastern Illinois.
 - 2. Met with the Chicago Park District, Lake County Forest Preserve District Land Preservation Committee, Liberty Prairie Conservancy, Forest Preserve District of Kane County, Dundee Township Park District, Fox River Country Day School, Fields of Cambridge Homeowner's Association, Tallgrass Restoration, and U.S. FWS to discuss protection of various parcels in the Illinois Nature Preserves System.

3. Had ongoing dialogue with Ken Fiske (INPC Consultant) and the owners of a 550-acre tract of land in McHenry County that qualifies for the LWR program.
- E. Kim Roman:
 1. Researched deed restrictions on properties neighboring Long Run Seep NP.
 2. Met with landowners to discuss protection of acreage adjacent to Lower Fox River-Wedron Palisades NP and Mitchell's Grove NP.
 3. Contacted owners of Clark Run Falls INAI site and Dickson Sedge Meadow INAI site/Natural Heritage Landmark (NHL).
- F. Angella Moorehouse:
 1. Met with staff from Interstate Resource Conservation and Development, Rock Island SWCD, and NLI to discuss plans for the formation of a new land trust to cover the Quad Cities area.
 2. Met with the Director of the Rock Island Forest Preserve District and the site manager of Indian Bluff Hill Prairie to discuss protection options for two INAI sites and to secure an agreement for management as part of the Hill Prairie State Wildlife Grant (SWG) Project.
- G. Tom Lerczak:
 1. Continued working on a LWR proposal for Chinquapin Bluffs, located along the Mackinaw River, owned by the ParkLands Foundation (incomplete as of April 10, 2009). Mr. Lerczak also is working with the Landowner Incentive Program (LIP) to provide management of this site.
 2. Provided information to Russ Blogg, Graduate Resident Intern, on writing a NP addition proposal for Miller-Anderson Woods NP.
 3. Initiated or renewed six landowner contacts of unprotected natural areas for potential LWRs.
 4. Met with Eric Schenk, Ducks Unlimited, to review maps and discuss a possible LWR near the Sanganois State Fish and Wildlife Area.
- H. Mary Kay Solecki:
 1. Participated in a Land Conservation Foundation meeting and served as an advisor on protecting natural lands in east-central Illinois.
 2. Facilitated and participated in a joint meeting of two land trusts, Grand Prairie Friends and Land Conservation Foundation, to plan conservation priorities and strategies.
 3. Landowner contact with a landowner regarding a potential addition to Upper Sangamon River LWR and visit to site.
 4. Landowner contact with two landowners on a Sangamon River INAI site and Salt Fork INAI site regarding conservation easement opportunities through the Natural Resource Conservation Services' Emergency Watershed Protection Floodplain Easement Program.
- I. Bob Edgin conducted one private landowner contact for a site not currently in an INPC program and maintained contact with owners of four privately-owned sites in INPC programs.
- J. Judy Faulkner Dempsey worked with the Illinois Audubon on potential preservation projects.

V. Land Acquisition

- A. John Nelson worked with the IDNR's Office of Realty and Environmental Planning regarding issues at Black-Crown Marsh LWR, Volo Bog SNA, and Harlem Hills NP.
- B. Mary Kay Solecki advised the Clean Energy Community Foundation on land acquisition projects in east-central Illinois.
- C. Angella Moorehouse contacted with owner of Housen Hill Prairie, Pike County, to discuss the 184-acre tract (includes the INAI site) currently for sale.

VI. Defense Program:

- A. INPC program staff responded to five reviews for the IDNR's Comprehensive Environmental Review Program (CERP) and seven reviews for the IDNR's Consultation Program.
- B. Jenny Skufca and Randy Heidorn continued to participate in meetings addressing asbestos containing material and other issues related to the management of Illinois Beach State Park (SP), including Illinois Beach NP and North Dunes NP.
- C. Jenny Skufca:
 1. Worked on the preparation of a Class III groundwater petition packet for the Illinois Environmental Protection Agency (IEPA) and assisted the IEPA and Illinois Department of Transportation (IDOT) with the planning for Class III groundwater protection area road signage.

2. Submitted INPC comment on proposed road work adjacent to Argyle Hollow Barrens NP.
3. Researched potential concerns for INPC sites with regard to wind turbine proposals.
4. Submitted INPC comment on an easement request from a wind turbine development company to the IDNR concerning an area within or near Sandy Ford LWR.
- D. Tom Lerczak and Randy Heidorn participated in various meetings relating to the possible impacts to Thomas W. and Elizabeth Moews Dore Seep NP from the Wetlands Initiative's proposed nutrient farming project at Hennepin-Hopper Lakes.
- E. Judy Faulkner Dempsey participated in discussions on mitigation of the dusky salamander on land proposed to be mined by the Oil-Dri Corporation in southern Illinois.
- F. Kim Roman:
 1. Contacted the neighbor whose yard was encroaching into Long Run Seep NP; coordinated a professional survey of an addition to Long Run Seep NP and posted boundaries.
 2. Met with the developer adjacent to Thorn Creek Woods NP and provided comments to avoid/minimize impacts to the site.
- G. Threats to sites within INPC programs:
 1. **Ryan Wetland and Sand Prairie LWR, Lee County – Jenny Skufca**
 - a. Issue: Wind turbine development company, Edison Mission Group, will soon erect a turbine array near the LWR.
 - b. Threat: Potential to create shadow flicker on the LWR. Wind turbine impacts to natural areas are not known.
 - c. Status: INPC staff submitted correspondence to the Edison Mission Group on April 3, 2009, relaying concerns about turbine placement in progress adjacent to the LWR and requested shadow arc analysis.
 2. **Black-Crown Marsh LWR, McHenry-Lake counties – John Nelson**
 - a. Issue: The Village of Lakemoor is converting a building adjacent to the LWR into a public works facility.
 - b. Threat: Main issue is the storage of road salt adjacent to the LWR and other wetlands located downstream at Moraine Hills SP.
 - c. Status: New plans have been drawn, and road salt was not stored at the new facility this past winter season due to on-going consultation with the IDNR.
 3. **Volo Bog SNA and Volo Bog NP, Lake County – John Nelson**
 - a. Issue: The proposed Spruce Lake Industrial Park is being considered for final engineering approval by the Village of Volo.
 - b. Threat: Concerns that the industrial park will have negative impacts on the hydrology of the bog.
 - c. Status: INPC and IDNR staff requested, in writing, the Village not approve the project until a hydrologic report is completed and submitted to the INPC and IDNR for review to address concerns related to the protection of Volo Bog. A draft hydrologic report has been submitted, and a final report is anticipated in May, 2009.
 4. **Lake in the Hills Fen NP, McHenry County – John Nelson**
 - a. Issue: On March 25, 2009, a wildfire occurred at Lake in the Hills (LITH) Fen.
 - b. Threat: The LITH-Algonquin Fire Protection District responded by entering the NP with brush trucks that got stuck in hydric soils. A Bobcat skidsteer was called on-site to extract vehicles, and it also got stuck.
 - c. Status: The fire caused no harm to people or property, but the response did cause unnecessary damage to the sensitive resources of the NP. A similar incident occurred in 2005, at which time another Bobcat skidsteer got stuck in one of the calcareous seeps.
 5. **Julia M. & Royce L. Parker Fen NP, McHenry County – John Nelson**
 - a. Issue: Proposed construction and operation of Resurrection Center retirement community on nearby uplands.
 - b. Threat: Potential groundwater impacts within a Class III Ground Watershed designated for the NP has been the main concern for the INPC.
 - c. Status: INPC staff reviewed the proposed development plan and wrote a letter to the McHenry County Zoning Board of Appeals to relay concerns and to provide recommendations. The development will locate the septic outside the designated Class III special resource groundwater. INPC staff recommended a reduced development footprint, prohibition of road salts, legal

protection and restoration of on-site wetlands and oak woodland, and elimination of a road, four housing units, and an associated detention basin.

6. **Bluff Spring Fen NP, Cook County – John Nelson, Steven Byers**

- a. Issue: Routing of water from Gifford Lake and “finger lakes” located adjacent to Bluff Spring Fen is currently under consideration by the Forest Preserve District of Cook County (FPDCC). Options include surface conveyance of water from Gifford Lake or conveyance of the water via a pipe.
- b. Threat: INPC groundwater consultants Randy Locke and Jim Miner, Illinois State Geological Survey, have both recommended the “piping” alternative. The open swale alternative threatens groundwater chemistry and a previously permitted project to restore surface and groundwater hydrology (and fen wetlands) by filling a shallow gravel pit lake.
- c. Status: A meeting, attended by mining representatives (Bluff City Materials and Vulcan Materials), INPC staff, FPDCC staff, and engineering consultants, was held on February 3, 2009, to discuss issues. A revised plan set for the preferred piping alternative was presented. The plan and a related groundwater model is now under review by various agencies responsible for permitting the project.

7. **Palatine Prairie NP, Cook County – Steven Byers**

- a. Issue: A private firm, Golf Nation, erected a structure (with netting) in 2007 to support a golf driving range. The ground wires that support the structure intrude into Palatine Prairie NP.
- b. Threat: Unauthorized intrusion into the NP, and the NP owner, Palatine Park District, wants the infrastructure removed.
- c. Status: Golf Nation has stated its intent to remove the infrastructure, subsequent to meeting with State Senator Matt Murphy. A more recent e-mail from Golf Nation contained a request for an extension to further explore engineering options and costs. Golf Nation has indicated that it will not have a plan ready until July 1, 2009, which is unacceptable to the NP owner and INPC staff. INPC staff is considering further legal action and will be consulting with IDNR legal staff for options.

8. **Illinois Beach NP, Lake County – Steven Byers**

- a. Issue: A proposed pharmacy has proposed direct access from the pharmacy to the Wadsworth Road entrance road into the south unit of Illinois Beach SP (from a currently developed parcel not next to the NP). The IDNR owns the right-of-way to either side of entrance road.
- b. Threat: Although no direct impacts to the NP were identified by the INPC and local site managers, the following park issues were identified locally: establishes precedent; traffic safety issue; aesthetic issue; and potential threat to surface hydrology along entrance road to Illinois Beach SP.
- c. Status: Project is being reviewed in the CERP process by the IDNR.

9. **Sterne's Fen NP, McHenry County – Steven Byers**

- a. Issue: The Crystal Lake Park District received an Open Space Land Acquisition and Development (OSLAD) grant for infrastructure improvement at the NP.
- b. Threat: Either direct or indirect impact to the NP, based upon siting and/or type of infrastructure.
- c. Status: Threat resolved. No direct impact as the project footprint is outside the boundary of the NP. Indirect threat posed by the septic field was resolved. The Crystal Lake Park District is to install a vault evaporator system and provide swales to reduce/eliminate run-off from the site. Also, gravel roads will be used rather than asphalt.

10. **Hickory Creek Barrens NP, Will County – Kim Roman**

- a. Issue: Sedimentation on the NP due to off-site land development.
- b. Threat: Direct impacts to the NP.
- c. Status: The consent order for violations of the Illinois Natural Areas Preservation Act at the NP has been finalized and is awaiting signature.

11. **Harper's Woods NP, Stark County – Angella Moorehouse**

- a. Issue: During a site visit to meet with the owners and contractor hired to do utility clearing for Ameren along the southern border of the NP, INPC staff found a high rate of tree mortality not only along the roadside but also into the interior of the forest community.
- b. Threat: Concern for the health of the forest community at the NP.

- c. Status: INPC staff is working with IDNR Forester Steve Felt and the Cooperative Extension Service to determine the cause of the high tree mortality of ash and oak trees and to develop strategies to preserve the diversity of native trees within the high-quality forest natural community.
12. **Black Hawk Forest NP, Rock Island County – Angella Moorehouse**
- a. Issue: IDOT, in consultation with INPC staff and the Historic Preservation Agency (HPA) who maintain the site, completed an emergency culvert repair in 2008 on IL Route 5 bordering the NP. This project was considered successful. A small number of young trees (less than 10 total, age less than 20 years) were removed, and native prairie savanna grasses were planted to reduce erosion and prevent the invasion of herbaceous weeds. There are three other culverts along IL Route 5 bordering the NP, east of the 2008 repair, which are at risk of erosion and collapse due to high volume rain water run-off.
 - b. Threat: Due to tremendous erosion, the future culvert repairs will involve earthwork. Additional dirt fill, taken from an off-site location, will need to be brought in to reduce the steepness of the slope. The plans do not call for alterations to the flow of small creek drainage, however, riprap rock will need to be placed at the tow of the slope and within the stream bed to slow water velocity and reduce the risk of increased erosion. INPC staff want to ensure that the repairs will benefit the NP in the long-term by reducing the current rate of gully erosion. INPC staff also want to ensure that any outside soil brought into the NP is of the same soil type as that found in the NP and is from a local site that is either relatively free of invasive weed seeds or has been sterilized to kill weed seeds.
 - c. Status: IDOT has prepared plans to have these culverts replaced within the next 2-4 years, perhaps sooner. Staff from the INPC and HPA are currently reviewing these plans to provide guidance for the road repair work.
13. **Fon du Lac Seep LWR, Tazewell County – Tom Lerczak**
- a. Issue: Potential encroachment of the LWR by a neighbor.
 - b. Threat: Disturbance to the soil and increased potential for erosion to the LWR.
 - c. Status: Photo documentation and discussion with the landowner, Fon du Lac Park District.
14. **Dirksen-McNaughton Woods LWR, Tazewell County – Tom Lerczak**
- a. Issue: Proposed road realignment and bridge replacement within the LWR by the City of Pekin.
 - b. Threat: Road realignment would require use of land registered as a LWR.
 - c. Status: Staff met on-site with contractors and landowners on February 18, 2009.
15. **Kinney's Ford Seep LWR, Vermilion County – Kelly Neal, Randy Heidorn, Jenny Skufca**
- a. Issue: The IDNR is addressing a drainage issue on its property near the LWR by removing fill and ballast in an old rail embankment down to a pair of culverts. The contractor, a local road commissioner, asked and received permission from the IDNR to store excess fill in the parking lot area within the LWR. There was more fill than anticipated, and the piles were also placed in a disturbed area of the LWR in and adjacent to the parking lot slated for restoration. This work was done last fall and came to the attention of the INPC in mid-April, 2009.
 - b. Threat: Erosion control was not put in place, and silt potentially had washed into wetland areas containing listed species. The CERP for this project did not include storage of the fill in the LWR, and INPC approval was not sought for storage of the fill in the LWR.
 - c. Status: Silt fencing has been put in place. The INPC is working with the Endangered Species Protection Board and IDNR staff to review procedures that led to the placement of the fill within the LWR without proper authorization and to correct deficiencies. It is anticipated that the fill will be removed this summer.
16. **Section 8 Woods NP and Cache River LWR, Johnson and Pulaski counties – Jenny Skufca, Randy Heidorn, Judy Faulkner Dempsey**
- a. Issue: The Big Creek Drainage District (BCDD) has demanded the removal of the Diehl water control structure that controls water levels within the above sites. The BCDD also proposed the removal of a beaver dam within the LWR. There are potential effects to both the LWR and the NP.
 - b. Threat: Concern for methods to be used to remove the dam, as well as concern over unnecessary changes to the hydrology of the site.
 - c. Status: INPC staff requested the assistance of IDNR legal counsel and the Attorney General's Office to take all means needed to prevent the Diehl structure removal, which would be considered

a violation of the Illinois Natural Areas Preservation Act. Various legal options are under discussion. Meanwhile, INPC staff sent correspondence to the BCDD identifying concerns over the beaver dam removal.

VII. Stewardship Program:

- A. Randy Heidorn continues to guide the development and review of the Illinois Prescribed Fire Act administrative rule development as co-chair of the IDNR's Wildland Fire Task Force. The Rule is in final internal review within the IDNR, and a current draft will be presented at the Illinois Prescribed Fire Council Conference on Friday, May 6, 2009.
- B. Kelly Neal has been reviewing, issuing, and renewing a large number of special use permits for research and other permitted activities within NPs and LWRs.
- C. Tom Lerczak:
 - 1. Coordinated staff development of site specific NP entrance signs for 27 sites and placed the annual sign and sign post order.
 - 2. Coordinated a statewide purchase of herbicide for stewardship projects.
- D. Stewardship planning:
 - 1. Kelly Neal:
 - a. Reviewed 12 management plans/schedules and four unscheduled management actions.
 - b. Attended a meeting of researchers and staff from other agencies to discuss research plans for the State and federally-listed eastern prairie fringed orchid.
 - 2. Staff prepared or coordinated management schedules for several sites including:
 - a. Searls Park Prairie NP
 - b. Howard D. Coleman Dells NP
 - c. Sugar River Alder NP
 - d. Hartley Memorial NP
 - e. Laona Heights NP
 - f. Pecatonica Bottoms NP
 - g. Severson Dells NP
 - h. Colored Sands Bluff NP
 - i. Brownlee Cemetery Prairie NP
 - 3. Staff worked independently and with other partners and/or landowners to submit projects for INPC program sites for funding through the Natural Areas Acquisition Fund (NAAF) stewardship program and other foundations and agencies that provide on the ground land stewardship. Staff also provided several letters of support for these types of projects.
 - 4. Steven Byers, Kim Roman, and Kelly Neal attended a planning/strategy meeting hosted by Openlands regarding ecology and habitat requirements of the State and federally-listed Hine's emerald dragonfly.
 - 5. Angella Moorehouse and Debbie Newman met with staff from the IDNR's Natural Heritage Division on February 5, 2009, to work on the development of a Hill Prairie Action Plan.
 - 6. Steven Byers and Randy Heidorn participated in discussions with the IDNR regarding status of structures at Wolf Road Prairie (along Hickory Lane).
 - 7. John Nelson:
 - a. Met with representatives of the JoDaviess Conservation Foundation and the IDNR to review plans for a parking lot construction project at Wapello LWR and the reconstruction of effigy mounds at Casper Bluff LWR. Both projects were approved and are consistent with the reserved rights outlined in the registration agreements.
 - b. Contacted the Jane Adams Parklands Foundation (Freeport Prairie NP) and the McHenry County Land Conservancy (West Woodstock Prairie INAI site) to discuss management and restoration needs at these sites.
 - 8. Angella Moorehouse met with volunteers from the Quad Cities NAG to discuss management needs at Josua Lindahl Hill Prairies NP and Black Hawk Forest NP.
 - 9. Tom Lerczak met with the Bureau County SWCD staff to discuss details of managing McCune Sand Prairie LWR.
 - 10. Debbie Newman attended a meeting to discuss possible trail realignment at an IDNR-owned NP. Ms. Newman also attended a committee meeting and worked with volunteers on stewardship strategy for a LWR.

11. Mary Kay Solecki:
 - a. Reviewed and advised on a new training manual for east-central Illinois volunteer stewards.
 - b. Participated in the annual Stewards' Luncheon for east-central Illinois volunteer stewards.
 - c. Met at Tomlinson Pioneer Cemetery Prairie NP with Champaign County Forest Preserve District staff, IDNR Cultural Resources Coordinator Hal Hassen, HPA staff, and a tombstone repairer to plan grave marker maintenance and repair that minimizes impacts to the natural features.
 - d. Participated in a meeting of the Barnhart Prairie Board to determine stewardship and protection needs and to plan work.
12. Bob Edgin represented the INPC at the Illinois Invasive Plant Species Council meeting in Springfield.
- E. Stewardship project implementation: Staff continued to coordinate and administer stewardship projects, including the Hill Prairie Project, funded by LIP, SWG, Wildlife Habitat Incentive Program (WHIP), EPA 319 Grant, NAAF, and INPC operations fund. These projects involve meeting with landowners, securing landowner agreements, preparation of grant applications, preparing bid packages, supervising contractors, and assisting in conducting restoration activities. Contractor work included prairie reconstruction and seed purchase, exotics and woody species control, dump cleanup, erosion control, boundary survey and sign posting, and prescribed burn site preparation and burn crews. Sites where this kind of work occurred include:
 - Area 1: Black-Crown Marsh LWR, Kinnikinnick Creek NP, and Boone Creek Watershed
 - Area 2: Hybernia NP
 - Area 3: Long Run Seep NP
 - Area 4: Mary Taylor's Mossville Road Hill Prairie NHL, Robinson Park Hill Prairies NP, Detweiller Woods NP, Twin Culvert Cave NP, and Siloam Springs SP area
 - Area 5: Mettler Woods NP, Tomlin Timber NP, Dirksen-McNaughton Woods LWR, Culp Conservancy Woods LWR, and Walden West LWR
 - Area 6: Monticello's Sangamon River LWR, Shady Rest LWR, Doris Westfall Prairie Restoration NP, Horseshoe Bottoms NP, and Baber Woods NP
 - Area 7: Various sites
 - Area 8: Padgett Brothers Sweet Gum Woods LWR and P & E Refuge LWR
 - Area 9: Ren-Dill Shale Glade NP, Faulkner-Franke Pioneer Railroad Prairie NP, Degognia Canyon LWR, Circle B Ranch LWR, and Horsefly Ridge NP
- F. Land management conducted by staff:
 1. Staff conducted prescribed burns at several sites, including:
 - Area 1: Rockcut SP, Moraine Hills SP, Harlem Hills NP (Nelson 7 burns)
 - Area 2: Bluff Spring Fen NP, Fox River Fen NP, Brewster Creek Fen NP, Sleepy Hollow Ravine NP, Maunk-Sook Sedge Meadow and Savanna LWR, Chain O' Lakes SP, Red Wing Slough/Deer Lake LWR, Elizabeth Lake NP, and Glacial Park (McHenry County Conservation District site) (Byers 5 burns, Inczauskis 5 burns)
 - Area 3: Goose Lake Prairie NP, Des Plaines Dolomite Prairie LWR, Kankakee River NP, Old Plank Road Prairie NP, and Silver Springs Savanna Private Woodland (Roman 8 burns)
 - Area 4: Jamar Haven LWR, Root Cemetery Savanna NP, and Springdale Cemetery Savanna NHL (Moorehouse 13 burns)
 - Area 5: Henry Allan Gleason NP, Sand Prairie-Scrub Oak NP, Chandlerville Cemetery Hill Prairie LWR, Walden West LWR, and Dickson Mounds Prairie Restoration (Lerczak 5 burns)
 - Area 6: Baber Woods NP, Barnhart Prairie Restoration NP, Prospect Cemetery Prairie NP, Larimore's Salt Fork of the Vermilion River LWR, Heartland Pathways, and Allerton Park (Solecki 6 burns)
 - Area 7: Various hill prairies in the Bluff Corridor (Newman 6 burns)
 - Area 8: Lake Sara Flatwoods NHL, Ping Prairie at Huskey Hollow NHL, Green Prairie NHL, Allison Gravel Prairie NHL, Horn Prairie Grove LWR, Padgett Pin Oak Woods LWR, Prairie Ridge State Natural Area LWR (Jasper County), Prairie Ridge State Natural Area LWR (Marion County), Beadles Barrens NP, Karcher's Post Oak Woods NP, Robert Ridgway Grasslands NP, Beall Woods NP, Martin T. Snyder Memorial NP, Ramsey Railroad Prairie NP, Jasper County Prairie Chicken Sanctuary NP, Ballard Nature Center, Wildcat Hollow State Forest, Mulberry Grove Railroad Prairie, Lawrenceville Airport wetland, and Stephen Forbes SP (Edgin 64 burns, Adams 47 burns)

- Area 9: Cache River LWR
2. Staff conducted invasive species control and other stewardship activities such as boundary posting, planting, or trash/litter cleanup at several sites, including:
 - Area 1: Boone Creek Fen NP and West Woodstock Prairie INAI site (Nelson 6 sites)
 - Area 2: Shaw Fen and Woods NHL, Sleepy Hollow Ravine NP, Wingate Prairie NP, Bluff Spring Fen NP, Hybernica NP, Trout Park NP, Powderhorn Prairie and Marsh NP, Dixie Fromm Briggs NP, Illinois Beach NP, and Wolf Road Prairie NP (Byers 10 sites, Inczauskis 9 sites)
 - Area 3: Des Plaines Dolomite Prairies LWR, Silver Springs SP, Superior Street Prairie LWR, and Sweet Fern Savanna LWR (Roman 4 sites)
 - Area 4: Short Fork Seep NP and Brownlee Cemetery Prairie NP (Moorehouse 2 sites)
 - Area 5: McCune Sand Prairie LWR, McCoy Woods NP, Mt. Palatine Cemetery Prairie NP, and Walden West LWR (Lerczak 4 sites)
 - Area 6: Barnhart Prairie Restoration NP and Loda Cemetery Prairie NP (Solecki 2 sites)
 - Area 7: Fults Hill Prairie NP and various other sites (specific sites not reported) (Newman 9 sites)
 - Area 8: Padgett Brothers Sweet Gum Woods LWR (Edgin 2 sites, Adams 1 site)
 3. Angella Moorehouse:
 - a. Provided consultation and/or equipment to support additional burns at five other NPs, two LWRs, two NHLs, and two INAI sites.
 - b. Assisted staff from the Illinois Natural History Survey and IDOT in the translocation of State-endangered queen of the prairie (*Filipendula rubra*) plants from an area of Lost Grove Wetland INAI, threatened by road repair work, to Short Fork Seep NP.
 - c. Assisted IDNR Cultural Resources Coordinator Hal Hassen in the documentation of burial markers at Brownlee Cemetery Prairie NP.
 4. Debbie Newman continued working with volunteers at Salt Lick Point LWR.

Exhibit B

**Illinois Department of Natural Resources
Report to the Illinois Nature Preserves Commission
May 5, 2009**

Natural Areas Evaluation Committee

The 52nd Natural Areas Evaluation Committee meeting scheduled for April 7, 2009, was postponed. The committee will next meet on July 14, 2009.

Land Acquisition

Two tracts of land totaling 192 acres were acquired using the Natural Areas Acquisition Fund since the last NPC meeting.

Thirty-two acres were acquired in February to enlarge Volo Bog State Natural Area in Lake County. The tract is an upland above Brandenburg Bog. The acquisition will buffer the bog and prevent incompatible development. Volo Bog State Natural Area is now 1,243 acres. A proposal to dedicate the tract is included in the agenda today.

One hundred sixty acres in Monroe County were acquired in March to establish Annbriar Karst State Natural Area. The new acquisition is located in the Sink Hole Plain of southwestern Illinois. It contains several sinkholes and a small cave. The cave provides habitat for Illinois cave amphipod, an invertebrate on the state and federal endangered species list. The Nature Conservancy preacquired the tract for DNR at a public auction and held it until DNR had funding in place.

185 tracts of natural area land have been acquired with NAAF since the fund was established in 1989.

Cache River Basin Water Control Structure

The dispute between the Department and the Big Creek Drainage District has not yet been resolved. While the water control structure that was rebuilt by the Department last summer remains in place, the circuit court in Pulaski County has denied the State's request for a permanent injunction to prevent the drainage district from removing the structure.

In a related development, the Office of the Attorney General has filed objections to the Certificate of Levy of Additional Assessment for Repair Work and the Report of Condition of Drainage System filed by the Big Creek Drainage District. The hearing to consider those objections was held on January 23 in Pulaski County Circuit Court. All of the state's objections were denied by the Circuit Court judge.

Illinois Natural Areas Inventory Update

As of the end of March, the regional ecologists have successfully completed the first stage of the screening process for 53 counties. This process includes developing contacts with local experts, a review of literature and other existing information, familiarization with existing INAI sites and aerial photography examination. A total of 1722 potential natural areas have been identified within this stage of the process. The second stage of the screening process has been completed in

23 counties. This phase includes both aerial and initial ground surveys. A total of 301 sites have been determined to be of sufficient quality to warrant further evaluation. In preparation for the upcoming field season, landowner contact has also been initiated within the counties where the second stage of the screening process has been completed. The Strategic Natural Areas Preservation Plan is in the early stages of development. This plan will outline what resources are required for long term preservation of the INAI and individual sites. The plan will be structured around how the concepts of Identification, Protection, Stewardship and Defense relate to long term preservation and how cooperation between IDNR, other units of governments and non-profits relate to long term preservation. Re-evaluating the existing INAI Category I sites, which was started last year, will continue under outside funding.

Personnel

On January 16, 2009, then-Governor Blagojevich appointed Kurt Granberg to be Director of the Department of Natural Resources. On February 5, 2009, Governor Quinn appointed Marc Miller as Director after withdrawing the nomination of Kurt Granberg. Mr. Miller's appointment is awaiting Senate confirmation, but he is at work in the meantime.

Assistant Director Sam Flood, who had served as acting director for approximately three years, resigned from the Department in late January.

The process is underway to hire five Natural Heritage Residents for the new fiscal year. Three residents will work with District Heritage Biologists (Terry Esker, Eric Smith, and Brad Semel) and two will assist INPC Natural Areas Preservation Specialists (Kim Roman and Tom Lerczak). Interviews for these positions are being scheduled for Wednesday, May 11, 2009.

Exhibit C



ILLINOIS ENDANGERED SPECIES PROTECTION BOARD

One Natural Resources Way, Springfield, Illinois 62702 - 1271, (217) 785-8687; FAX (217) 785-2438

Illinois Endangered Species Protection Board report for the May 5, 2009 Illinois Nature Preserves Commission meeting

Submitted by Anne Mankowski, Director

The Board held its 141st meeting on February 20, 2009 at the Illinois Natural History Survey, Champaign, Illinois. Board actions from the meeting included:

1. The Board completed its required 5-Year review of the List of Illinois Endangered and Threatened Species and finalized its recommended additions, deletions, and changes in listing status to the List. Information about the List review process and the Board's recommendations can be found on the Board's webpage (<http://www.dnr.state.il.us/espb/index.htm>). The final recommendations have been forwarded to the DNR, which is now in the process of proposing amendments to the respective IL Administrative Rules that will make a new List official. The DNR's process is conducted in accordance with the IL Administrative Rule Procedure Act and, like the Board's process, also includes public comment opportunity. Based on the timeframe from the 2004 List revision, it is expected that a new List should become official sometime in the fall of 2009.

2. The Board issued a letter to USACE opposing issuance of the Centerpoint 404 Permit Application #LRC-2007-688 and urging further coordination with the DNR and other stakeholders to avoid or minimize impacts to Illinois listed species (upland sandpiper, loggerhead shrike, and Henslow's sparrow) and their habitats. Subsequent coordination meetings have taken place between the Army, the USACE, Centerpoint, DNR, and other stakeholders. The Board will continue to coordinate with DNR Impact Assessment staff regarding the DNR consultation for the project.

3. The Board reviewed proposals received and recommended funding of five FY09 ESPB WPF research projects to address the status, conservation, and/or recovery of Illinois endangered or threatened species. When the ESPB has a budget, part of the budget is used to fund these research projects and the program is also funded from a \$25,000 annual allocation from the Illinois Wildlife Preservation Fund, which receives contributions from a tax form check-off. The WPF annual allocation has been the sole source of funding for this program since 2002 when the Board's budget was eliminated. Following approval from the DNR, contracts were initiated for the following projects for FY09:

- Habitat Use, Nest Success, and Natal Philopatry of Loggerhead Shrike in Northwest Illinois.
- Conservation Genetics of Jefferson Salamanders in Illinois: Implications for Conservation and Recovery.
- Status assessment survey for springtails (Collembola) in Illinois caves.
- Rarely Seen Illinois Native Plant Species; Their Status and Distribution.
- Status of three freshwater snail species in the lower Ohio River basin in Illinois.

The Board, with recommendations from the Endangered Species Technical Advisory Committees, will soon identify research priorities for the FY10 cycle and will distribute an FY10 RFP sometime following its 143rd meeting to be held in August 14, 2009 meeting.

Additional activities conducted by Board staff, included:

4. Completed a final draft of the ESPB Biennial Report for JULY 2006 – JUNE 2008 (With addenda covering biennia July 2002 – June 2006). The statutorily required biennial report of accomplishments, which was three cycles behind as of June 2008, is expected to be approved as final at the Board's 142nd meeting to be held May 15, 2009 and will then be posted to the Board's webpage.

5. Continuing to make improvements to the ESPB webpage on the DNR website by updating information and posting additional references, such as documents from the 5-year List review process, recent agendas and meeting minutes, and select publications (the most recent "Endangered and Threatened Species of Illinois: Status and Distribution" publications.)

6. Coordination with DNR and INPC

- Coordinated with the Endangered Species Program ORC, Division of Wildlife ORC, Impact Assessment Section OREP, Office of Land Management, Office of Law Enforcement, Office of Legal Counsel, and Illinois Nature Preserves Commission, on multiple matters, including:

- Accepting the request by DNR to assume the role of project manager for a Barn Owl Recovery Planning and Implementation SWG project that will prevent the DNR from returning previously granted federal aid funding;
- Amending IL 17 AD CODES 1010 (IL E&T Fauna) and 1050 (IL E&T Flora);
- DNR consultation on USACE 404 permit application in Will County;
- DNR CERP process and construction specifications for project #09000968 involving Middle Fork State Fish and Wildlife Area and Kinney Ford Land and Water Reserve;
- DNR and public comments about the Board's proposed changes to the List; and,
- Conferred with Natural Heritage Database ORC staff about the request for Board/ESTAC participation in updating state-ranks for listed species.

7. Coordination with other Agencies

- Communicated with the Brookfield Zoo regarding a request to collaborate with the Board for research involving the hellbender (*Cryptobranchus alleganiensis*).
- Coordinated with the USFS Midewin National Tallgrass Prairie and the Nature Conservancy regarding the Centerpoint 404 Permit Application #LRC-2007-688.
- Communicated with the USFS Shawnee National Forest and DNR, Division of Natural Heritage, regarding a media inquiry about E&T management in areas not designated as "Wilderness".

8. Conducted surveillance for *Nothocalais cuspidata* (prairie dandelion) at Revis Hill Prairie Nature Preserve in Mason County with Jeannie Barnes from the DNR Natural Heritage Database.

Illinois Endangered Species Protection Board Budget

In the March 18, 2009 proposed FY10 state budget there was no recommended appropriation identified for the Board. The Board has been without a budget since 2002. The current DNR-funded contract with the Illinois Natural History Survey that solely covers the personal services expenses to employ the Board's Director, expires at the end of June 2009. The Board has made recommendations to the DNR and INHS to extend Ms. Mankowski's contract for another year and continues to hope that its complete budget line (to include personnel and operating expenses) will be reinstated.

142nd meeting of the Illinois Endangered Species Protection Board

The next meeting of the Illinois Endangered Species Protection Board will be at 10:00 A.M. on May 15, 2009 at the visitor's center at Starved Rock State Park.